

## **REMARKS**

Reconsideration of the application is requested in view of the above amendments and the following remarks. Claims 15, 16 and 22 have been amended. Support for the amendments to the claims can be found in at least Figures 1-5 and 7 of the present application.

A phone interview was conducted between Examiner Rickman and Applicant's representative Joshua Randall (Registration No. 50,719) on October 16, 2003. A proposed amendment to claims 15, 16 and 22 relating to the pattern representing uniform and non-uniform arrangements of the information signal was discussed. The Examiner indicated that the proposed amendments appeared to overcome the prior art of record.

Claims 10, 11 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bar-Gadda (US 5,468,075). Applicants respectfully traverse this rejection.

Bar-Gadda fails to disclose a master information carrier that includes "a pattern of recessed portions, the pattern being disposed in the track length direction so as to correspond to uniform and non-uniform arrangements of the information signals," as required by claim 1. The magnetic recording medium disclosed by Bar-Gadda has an embossed pattern filled with a ferromagnetic material. The pattern includes only a uniform arrangement of recessed portions and the pattern does not correspond or relate in any way to information signals. Therefore, Applicants submit that Bar-Gadda fails to disclose every limitation of claim 16, and the claims that depend from it.

Claim 12 was rejected under 35 U.S.C. § 102(e) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being obvious over Bar-Gadda. Applicants respectfully traverse this rejection.

As discussed above, Bar-Gadda fails to disclose every limitation of claim 16. Furthermore, Bar-Gadda fails to suggest or render obvious every limitation of claim 16. Therefore, Applicants submit that claim 12 is allowable for at least the reason it is dependent upon an allowable base claim. Applicants do not concede the correctness of this rejection.

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bar-Gadda. Applicants respectfully traverse this rejection. As discussed above, Bar-Gadda fails to disclose or suggest every limitation of claim 16. Therefore, Applicants submit that claim 21 is allowable for at least the reason it is dependent upon an allowable base claim. Applicants do not concede the correctness of this rejection.

Claims 6, 7, 15, 17 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Xuan et al. (US 6,214,434) in view of Yamamoto et al. (IEEE Trans. Magn., Vol. 33, No. 5, Sept. 1997, pp 3016-3018). Applicants respectfully traverse this rejection.

Yamamoto and Xuan are directed to a magnetic recording medium in which a pattern of a ferromagnetic film has only a uniform arrangement. As is discussed above with regard to the Bar-Gadda reference, a magnetic recording medium having a ferromagnetic film with only a uniform arrangement of recessed portions is structurally distinct from a master information carrier that includes "a pattern of recessed portions, the pattern being disposed in the track length direction so as to correspond to uniform and non-uniform arrangements of the information signals," as required by claims 15 and 22. One skilled in the art would not use only uniform arrangements of recessed portions filled with ferromagnetic material to represent information signals that are known to include uniform and non-uniform signals. Therefore, Yamamoto and Xuan fail to disclose or suggest every limitation of claims 15 and 22 and the claims that depend from them.

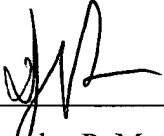
Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Xuan in view of Yamamoto, and further in view of Aine (Re. 32,464). Applicants respectfully traverse this rejection.

As discussed above, Xuan and Yamamoto fail to disclose or suggest every limitation of claim 15. Aine fails to remedy the deficiencies of Xuan and Yamamoto as they relate to claim 15. Therefore, claim 18 is allowable for at least the reason it is dependent upon an allowable base claim. Applicants do not concede the correctness of this rejection.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.

Respectfully submitted,  
MERCHANT & GOULD P.C.

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